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Mr. Joseph S. Tripoli
THOMSON multimedia Licensing Inc.
Patent Department
PO Box 5312
Princeton, NJ 08540

In re Application of
HUTCHINSON, Daniel Mark et al.
US Application No.: 10/031,059 : DECISION ON
PCT Application No.: PCT/US00/19115 :
Int. Filing Date: 13 July 2000 : PETITION UNDER
Priority Date: 16 July 1999 :
Attorney's File Reference: RCA 89694 : 37 CFR 1.47(a)
For: METHOD AND APPARATUS FOR :
PROVIDING DUAL AUTOMATIC GAIN :
CONTROL DELAY SETTINGS IN A :
TELEVISION RECEIVER :
:

This decision is in response to applicants' "RENEWED PETITION UNDER 37 CFR 1.47(a) ONE INVENTOR NOT AVAILABLE", filed 14 August 2003, requesting acceptance of applicants' declarations under 35 USC 371(c)(4) and 37 CFR 1.497.

BACKGROUND

On 17 July 2003, this Office mailed a decision dismissing applicants petition under 37 CFR 1.47(a). The decision stated that applicants were required to file a declaration signed by co-inventor Ricardo Haro (Haro) or provide the last known address of Haro and proof that Haro refuses to join in the application or cannot be found or reached after diligent effort.

On 14 August 2003, applicants filed the present "RENEWED PETITION UNDER 37 CFR 1.47(a) ONE INVENTOR NOT AVAILABLE" which is accompanied by a declaration signed by Haro. The petition asserts that all of the filing requirements under 35 USC 371(c) have now been met.

DISCUSSION

The declarations filed 16 April 2003 and 14 August 2003 together satisfy the requirement under 35 USC 371(c)(4) and 37 CFR 1.497 for an oath or declaration. Accordingly, applicants' petition under 37 CFR 1.47(a) for acceptance of the application without the signature of Haro is moot.

CONCLUSION

For the above reasons, applicants' petition under 37 CFR 1.47(a) is DISMISSED as moot.

This application is being forwarded to the US national stage processing branch of the Office of PCT Operations for the preparation and mailing of a Notification of Acceptance (Form PCT/DO/EO/903) indicating 35 USC 371(c) and 102(e) dates of 14 August 2003.

Diana L. Oleksa
Special Programs Examiner
PCT Special Programs Office
Telephone: 703-308-0890



Leonard Smith
PCT Legal Examiner
PCT Legal Office